

No JS6

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

DONALD LEO MELLEIN,

Plaintiff,

v.

UNITED STATES OF AMERICA, et  
al.,

Defendants.

No. CV 23-07970-RGK-MAR

~~PROPOSED~~ ORDER APPROVING  
STIPULATION TO DISMISS  
ADDITIONAL INDIVIDUAL  
DEFENDANTS SUBJECT TO  
PRESERVATION OF RIGHT OF  
APPEAL [79]

Honorable R. Gary Klausner  
United States District Judge

Upon good cause being shown as set forth in Stipulation to Dismiss Additional Individual Defendants Subject to Preservation of Right of Appeal (“Stipulation”) entered into between Donald Leo Mellein (“Plaintiff”) and the United States of America and Lynne Zellhart, Nathan Cherney, Kaare Mathison, Allen Grove, Christina Clyburn, and Blaire Fulcher (“Defendants”), the Court hereby approves the Stipulation.

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1 IT IS HEREBY ORDERED that:

2 (1) For the reasons discussed in this Court's order dismissing Defendant Zellhart  
3 (Dkt. 73), Defendants Nathan Cherney, Kaare Mathison, Allen Grove,  
4 Christina Clyburn, and Blaire Fulcher are dismissed with prejudice from this  
5 action;

6 (2) Notwithstanding Plaintiff's acknowledgment that this Court's reasons for  
7 dismissing the claims against Defendant Zellhart also apply to the dismissal of  
8 the claims against Nathan Cherney, Kaare Mathison, Allen Grove, Christina  
9 Clyburn, and Blaire Fulcher, Plaintiff reserves the right to appeal their  
10 dismissal on the same grounds that would apply to an appeal of Defendant  
11 Zellhart's dismissal; and

12 (3) With respect to Nathan Cherney, Kaare Mathison, Allen Grove, Christina  
13 Clyburn, and Blaire Fulcher, each party shall bear his, her, or its own  
14 attorney's fees, costs, and expenses.

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16 IT IS SO ORDERED.

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18 Dated: 3/22/2024

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20 THE HONORABLE R. GARY KLAUSNER  
21 United States District Judge  
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